

Message Text

CONFIDENTIAL

PAGE 01 STATE 240510

22

ORIGIN ARA-04

INFO OCT-01 ISO-00 /005 R

66011

DRAFTED BY: ARA:CEN:DCJOHNSON

APPROVED BY: ARA:CEN:MWEISSMAN

----- 024253

R 280119Z SEP 76

FM SECSTATE WASHDC

TO JUSTICE DEPARTMENT

C O N F I D E N T I A L STATE 240510

LIMDIS

FOLLOWING REPEAT SAN JOSE 4655 ACTION SECSTATE DTD 23 SEP 76.

QTE: C O N F I D E N T I A L SAN JOSE 4655

LIMDIS

E.O. 11652: GDS

TAGS: PFOR, PGOV, CS

SUBJECT: VESCO EXTRACTION: ORTIZ CONSIDERING DROPPING CASE

REF: SAN JOSE 4562

1. AMBASSADOR MET SEPTEMBER 23 WITH EDUZRDO ORTIZ. DCM AND EMBOFF WERE PRESENT.

2. ORTIZ REITERATED HIS CONCERN ABOUT USG SERIOUSNESS, SINCERITY AND RESOLVE ABOUT VESCO CASE AS REPORTED REFTTEL. HE REMINDED THAT HE HAD THOUGHT LONG AND HARD ON WHETHER OR NOT TO GET INVOLVED IN THIS CASE BEFORE ACCEPTING. HE NOTED THAT PERSONAL SECURITY CONSIDERATIONS HAVE ALWAYS TROUBLED HIM ABOUT THIS CASE (SAN JOSE 2788; ORTIZ-MAISTO MEMCON OF JULY 10, 1976, 1975 SAN JOSE 4013), AND CONTINUE TO WORRY HIM, ESPECIALLY
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 240510

IN LIGHT OF ALLEGED VESCO CONNECTION WITH DUKE HALL AND RECENT

MURDER OF HALL IN CALIFORNIA (SAN JOSE 4599). NEVERTHELESS, ORTIZ SAID, AMBASSADOR'S ASSURANCES THAT USG WAS INDEED SERIOUS IN THIS MATTER AND HIS OWN STRONG FEELINGS CONVINCED HIM TO TAKE ON THIS WORK. ORTIZ STATED THAT WASHINGTON'S LACK OF DECISION ON MATTER OF EXPENDING FUNDS FOR TRANSLATION OF INDICTMENT TELLS HIM THAT THERE MUST BE LITTLE REGARD HELD THERE FOR ORTIZ OR FOR HIS WORK. MORE IMPORTANTLY, HE REITERATED, IT TELLS HIM THAT USG IS NOT SERIOUS ABOUT THE VESCO CASE. ORTIZ WENT SO FAR AS TO WONDER ALOUD WHETHER SOMEBODY IN USG IS DELIBERATELY HOLDING UP ACTION AGAINST VESCO.

3. ORTIZ ALSO REMINDED THAT EMBASSY HAD PROMISED TO INFORM HIM OF ANY VESCO-RELATED ACTIVITIES ABROAD OR IN COSTA RICA INCLUDING NEW CHARGES OR INDICTMENTS AND PARTICULARLY INVOLVING THE PHYSICAL SECURITY OF ANYONE CONNECTED WITH VESCO CASE (19 5 SAN JOSE 4013; 1975 STATE 226594). IN THIS REGARD HE NOTED THE DUKE HALL MURDER IN CALIFORNIA, AND ASKED IF WE HAD ANY INFORMATION FOR HIM. AMBASSADOR CONFESSED WE DID NOT HAVE ANY MORE THAN NEWSPAPERS ACCOUNTS.

4. AMBASSADOR STATED HE FULLY UNDERSTOOD ORTIZ' MISGIVINGS ABOUT INTENTIONS OF USG IN THIS MATTER, AND THAT HE HAD EXPRESSED HIS VIEWS TO ASSISTANT SECRETARY SHLAUDEMANN. AMBASSADOR EXPLAINED THAT ONLY REASON WE CAN ASCRIBE TO THE DELAY BESIDES BUREAUCRATIC CONSIDERATIONS (PROBLEMS IN ARRIVING AT INTERNAL AGREEMENT IN DEPARTMENT OF JUSTICE; INTERAGENCY DIFFICULTIES) IS THE RECENT NEWS FROM WASHINGTON THAT JUSTICE IS LOOKING INTO "EXCITING NEW DEVELOPMENTS" IN VESCO MATTER, AND WILL BE ABLE TO INFORM DEPARTMENT AND EMBASSY ABOUT NEXT STEPS SHORTLY.

5. ORTIZ ASKED WHAT HE SHOULD DO WITH HIS STUDY. HE SAID THAT ALTHOUGH IT IS PRACTICALLY COMPLETED, THE CRIMINAL LAWYER ASSISTING HIM REFUSES TO SIGN OFF ON IT UNTIL HE HAS THE OPPORTUNITY TO REVIEW CAREFULLY THE FULL SPANISH TRANSLATION OF THE INDICTMENT. AMBASSADOR ASKED ORTIZ TO HOLD OFF FOR TIME BEING -- AT LEAST UNTIL ORTIZ RETURNS FROM COLOMBIA FIRST WEEK OF OCTOBER. ORTIZ AGREED.

6. AMBASSADOR ALSO PROMISED THAT HE WOULD ATTEMPT ONCE MORE TO GET WASHINGTON TO FOCUS ON PROBLEM OF TRANSLATION, AND TO CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 240510

PROVIDE ANSWER TO BASIC QUESTION OF WHAT USG INTENTIONS ARE AT THIS POINT IN VESCO CASE. AMBASSADOR AND ORTIZ AGREED TO MEET AFTER ORTIZ RETURN FROM COLOMBIA, AT WHICH TIME AMBASSADOR PROMISED TO HAVE ANSWERS. ORTIZ SAID THAT DEPENDING ON AMBASSADOR'S MESSAGE AT THAT TIME, HE WILL DECIDE WHETHER OR NOT TO CONTINUE HIS WORK WITH THE USG IN THIS MATTER.

7. IT IS QUITE CLEAR THAT ORTIZ WAS EXPRESSING DEEPLY AND

SINCERELY-HELD MISGIVINGS ABOUT U.S. GOOD FAITH AND ITS
SERIOUSNESS OF PURPOSE IN PURSUING THE VESCO CASE. CONSEQUENTLY
UNLESS WE ARE ABLE TO COME UP WITH SOME CONVINCING POSITIVE
ANSWERS FOR HIM AT OUR NEXT MEETING DURING THE FIRST WEEK OF
OCTOBER, WE MAY END UP WITHOUT HIS SERVICES AND, EVEN WORSE
WITH WIDE-SPREAD DOUBTS ABOUT WHERE THE U.S. GOVERNMENT REALLY
STANDS ON THE VESCO MATTER. TODMAN UNQTE: KISSINGER

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: EXTRADITION, LITIGATION, PHYSICAL SECURITY
Control Number: n/a
Copy: SINGLE
Draft Date: 28 SEP 1976
Decaption Date: 28 MAY 2004
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ElyME
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE240510
Document Source: CORE
Document Unique ID: 00
Drafter: ARA:CEN:DCJOHNSON
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760365-0091
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760911/aaaaajkq.tel
Line Count: 122
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN ARA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: LIMDIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: LIMDIS
Reference: 76 SAN JOSE 4562
Review Action: RELEASED, APPROVED
Review Authority: ElyME
Review Comment: n/a
Review Content Flags:
Review Date: 27 JUL 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <27 JUL 2004 by ullricre>; APPROVED <29 OCT 2004 by ElyME>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: VESCO EXTRAOTION: ORTIZ CONSIDERING DROPPING CASE
TAGS: PFOR, PGOV, CS, (VESCO, ROBERT L), (ORTIZ, EDUZRDO)
To: JUS
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006